

**AMENDMENTS TO THE DRAWINGS**

Four (4) attached sheets of drawing includes changes to Fig. 1A, 1B, 2A, 2B, 2C, 2D, and to Fig. 3B. The changes to these Figures are as follows.

Sheet 1 includes Fig. 1A and Fig. 1B – Please add the legend -- PRIOR ART --.

Sheet 2 includes Fig. 2A and Fig. 2B – Please add the legend -- PRIOR ART --;

Sheet 3 includes Fig. 2C and Fig. 2D – Please add the legend -- PRIOR ART --; and

Sheet 4 includes Fig. 3B – Please correct the spelling of “CONTACTED”.

Attachment:      Four (4) Replacement sheet

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### REMARKS

This Amendment is a full and timely response to the Office Action dated June 15, 2005. A Petition to Extend Time to Within the First Month accompanies this submission. Reexamination and reconsideration are respectfully requested.

#### Priority Acknowledgement

It is noted with appreciation that the Action acknowledged the claim for priority and the submission of certified copies of documents supporting that claim. In this respect, it is noted that the priority claim establishes a claim to a priority date of April 24, 2003; that date is earlier than the actual filing date of the cited Li patent, No. 6,870,184, filed on July 30, 2003. This point will be explored further in the discussion of the rejection based on Li.

#### Specification

The specification has been reviewed for final printing and a few minor changes made without the introduction of new matter. Included among those minor changes is a submission of a new title, commensurate with the pending claims, i.e. -SEMICONDUCTOR DEVICE HAVING SEMICONDUCTOR AND BASE CONTACT PAD MESA PORTIONS-. If the newly-proposed title is not apt, and responsive to the suggestion of the examiner, the examiner is invited to telephone the undersigned to proposed a new title that is fully satisfactory.

#### Information Disclosure Statement

It is also noted with appreciation that the Information Disclosure Statements filed on January 24, 2005 and May 24, 2005 have been considered by the Examiner. A Second IDS submitting the abstract of the document mentioned at page 1 of the specification, shown in Figs. 1A and 1B, and discussed at pages 1 to 3 is also submitted, together with an authorization for payment of the required fee.

Drawings

The drawings have been amended as requested by the Examiner. Specifically, the legend "PRIOR ART" has been added to Fig. 1A, 1B, 2A, 2B, 2C and 2D. In addition, a minor inadvertence in the spelling of "CONTACTED" in Fig. 3B is changed to -CONTACT--.

ClaimsConfirmation of Election

Claims 1 to 7 were pending for examination in this application as elected, while claims 8 to 12 were withdrawn as directed to a non-elected invention. The telephone election is affirmed, but the traverse is mooted in that claims 8 to 12 are here canceled in favor of a possible divisional application as of right.

Rejection of Claims 1 to 5 Based on Li, No. 6,870,184

Claims 1 to 5 were initially rejected as noted. However, as mentioned above, this application would appear on its face to be entitled to the priority date which is earlier than the actual filing date of Li. Withdrawal of rejections based on Li on the present record is suggested.

When Li is removed as a reference, there are no rejections based on art as to original claims 4 and 5. Accordingly, claim 1 is amended to include the subject matter of claim 4, and claims 2, 3, and 5 to 7 preserved. A new claim set of claims 13 to 17 is also submitted, where claim 13 is a combination of original claims 1 and 5, omitted the duplicative dependent claim 4 subject matter. Thus, claims 1 to 3, 5 to 7 and 12 to 17 would appear to be prima facie allowable.

Rejection of Claims 1 to 3 and 7 Based on Blayac et al, No. 6,495,869.Rejection of Claim 6 as Obvious Over Blayac '869

These rejections are respectively traversed in view of the amendment to claim 1 including the subject matter of original claim 4 that was not rejected on the basis of Blayac '869, and the new submission of claim 13 that includes the subject matter of original claims 1 and 5 that similarly was not rejected on the basis of Blayac '869. Thus, these rejections are mooted by

migrating the unrejected subject matter as noted.

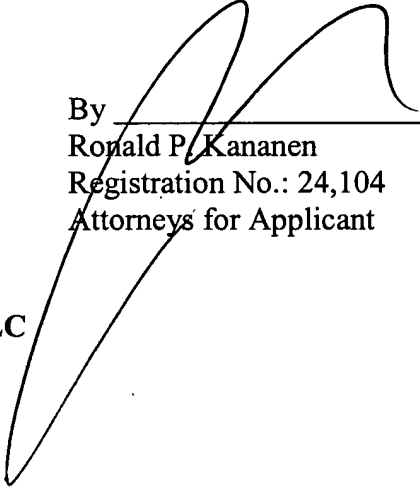
A comment is in order on the rejection of claim 6. There is no factual basis or motivation to discover the optimum or workable range of the gap 100 of Blayac as alleged by the examiner. Accordingly, with the admitted deficiency of Blayac as to claim 6, the subject matter of claim 6 is prima facie patentable especially when considered as dependent on the amended claim 1 and the newly submitted claim 13 as in claim 16. Withdrawal of the rejection is in order.

Conclusion

The remaining claims are allowable over the art of record as applied, and early Notice to that effect is solicited.

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Respectfully submitted,

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FIG. 1A *Prior Art*

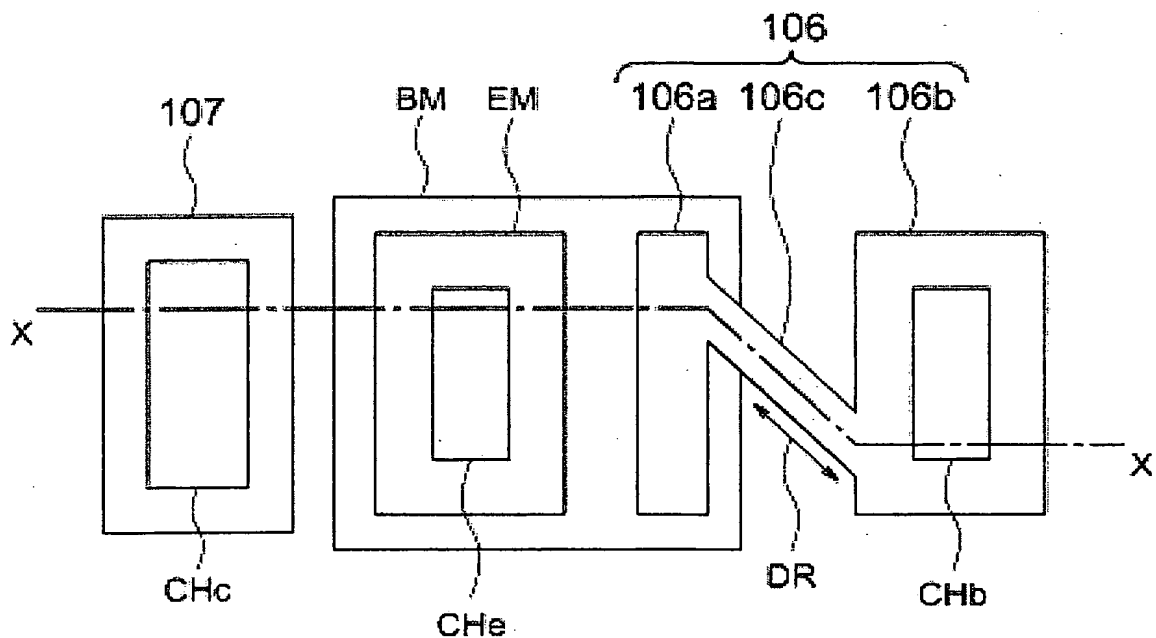


FIG. 1B *Prior Art*

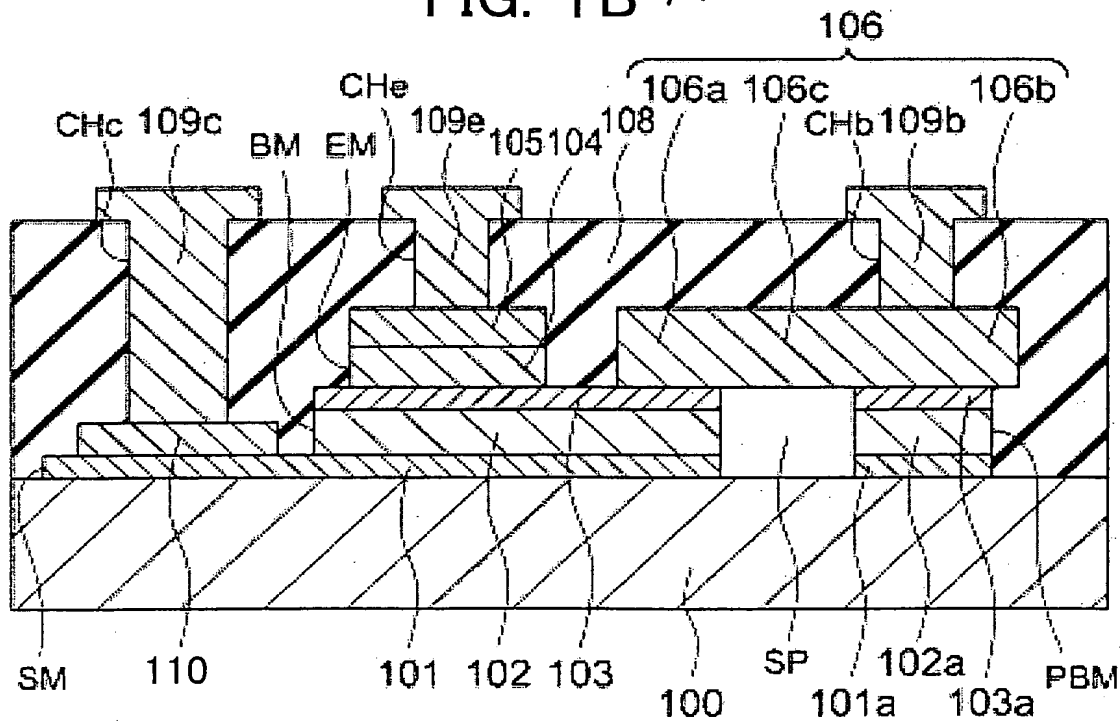


FIG. 2A *Prior Art*

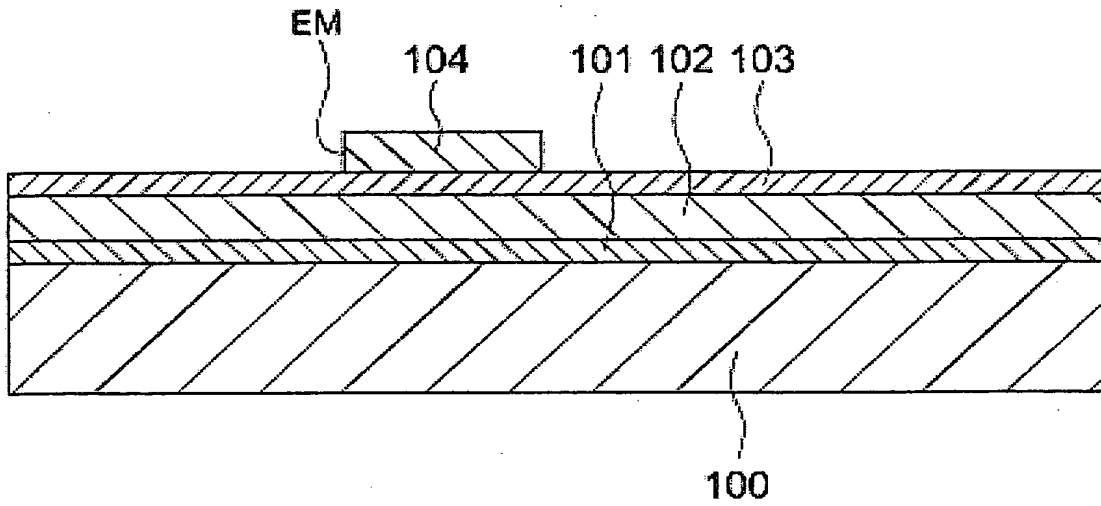


FIG. 2B *Prior Art*

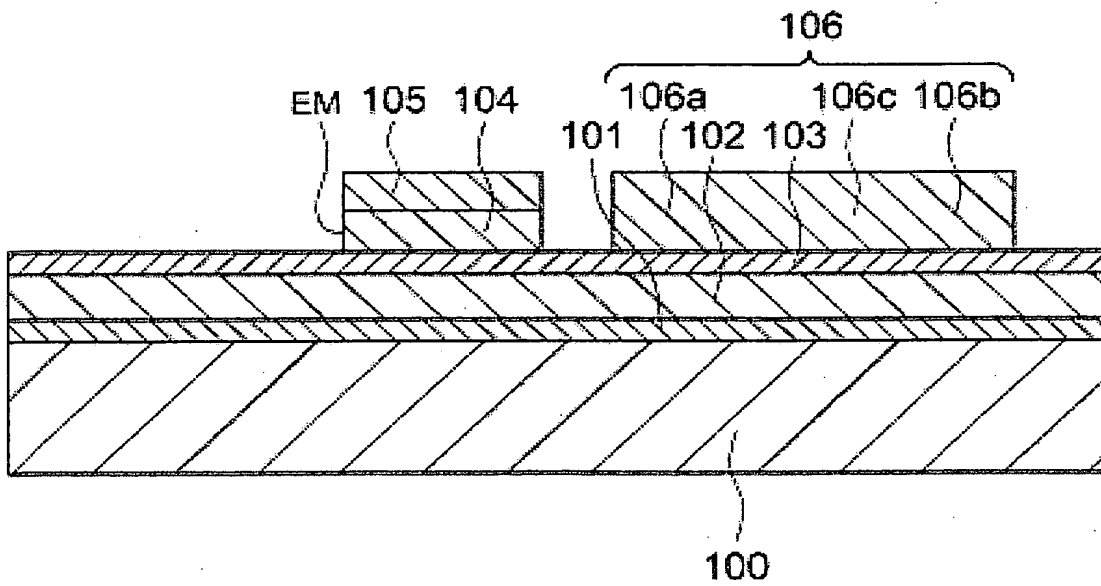


FIG. 2C *Prior Art*

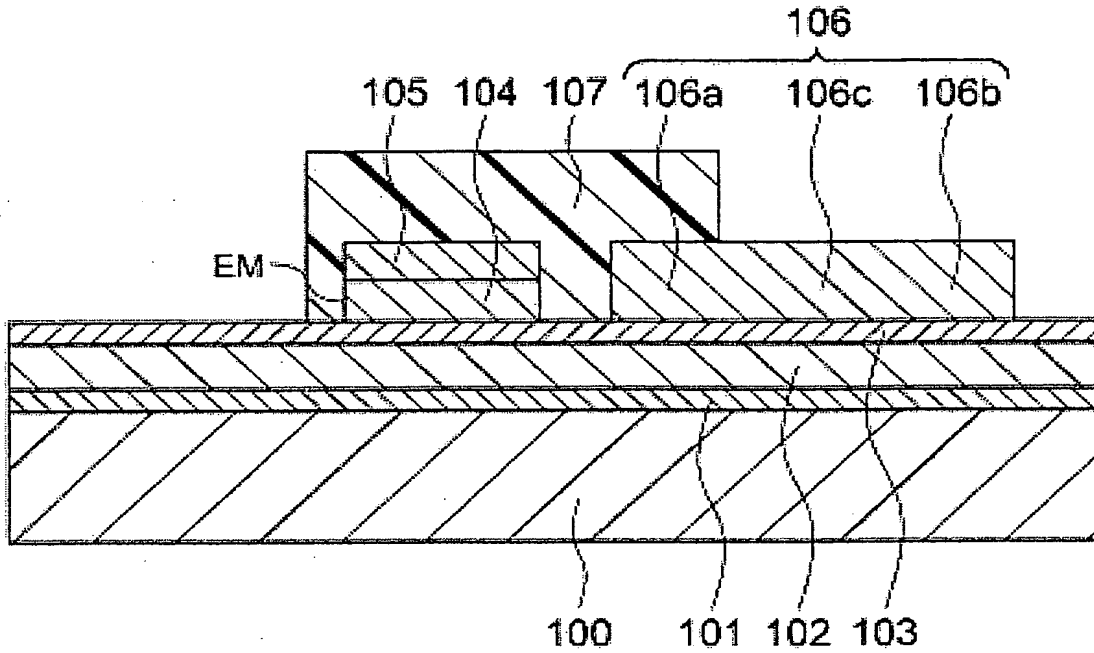


FIG. 2D *Prior Art*

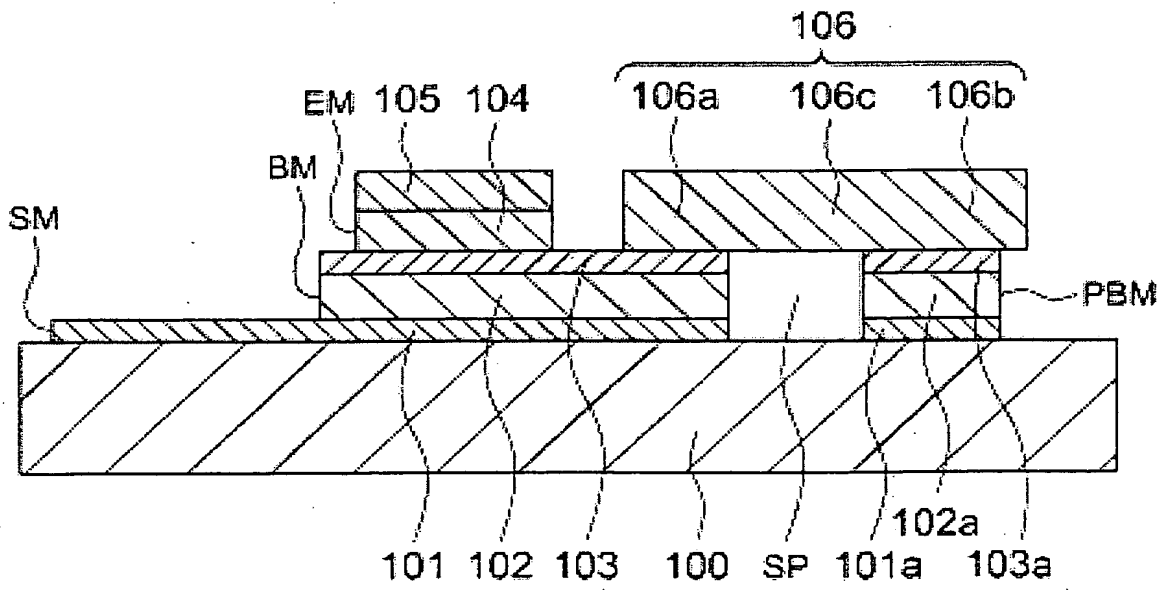


FIG. 3A

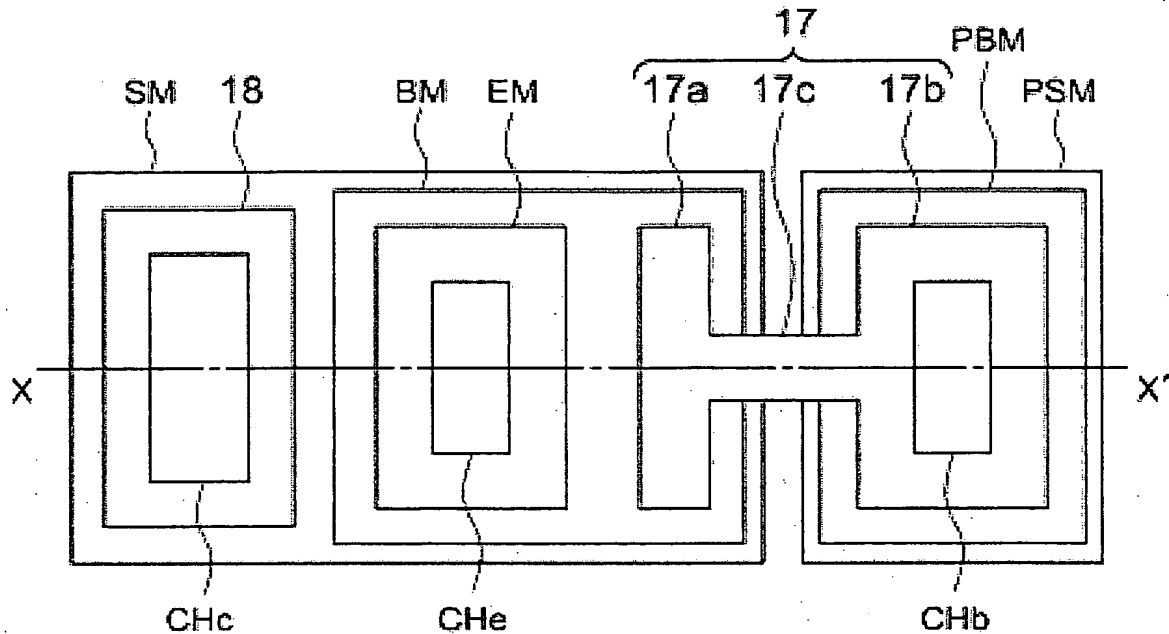
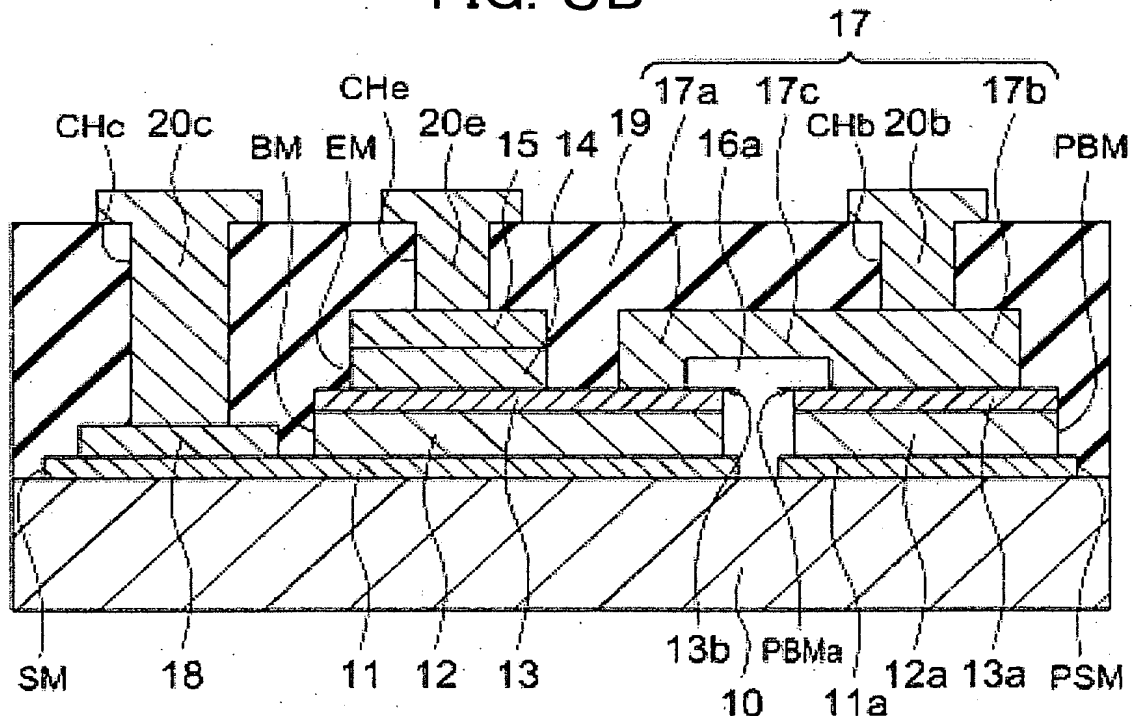


FIG. 3B



- 12...COLLECTOR LAYER
- 13...BASE LAYER
- 14...EMITTER LAYER
- 17...INTERCONNECTING LAYER
- 17a...BASE ELECTRODE
- 17b...BASE CONTACT PAD ELECTRODE
- 17c...INTERCONNECTING PORTION
- PBM...BASE MESA STRUCTURE FOR USING  
BASE CONTACTED PAD

*CONTACT*